

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	File No. EB-02-TC-051
)	
CableOne, Inc.)	CUID No. TX0095 (Livingston)
)	
Refund Plan)	
)	
	ORDER	

Adopted: June 14, 2002

Released: June 17, 2002

By the Chief, Enforcement Bureau:¹

1. In this Order we reconsider and amend Orders, DA 95-1071² and DA 99-923³ (together "Prior Orders"), concerning the rates charged by the above-referenced operator ("Operator")⁴ for its cable programming services tier ("CPST") in the community referenced above. In response to the Prior Orders, Operator filed a letter requesting that its refund liability be treated as *de minimus*. Our review of the Prior Orders and the record reveals that the total overcharges for the time period under review are *de minimis*, and it would not be in the public interest to order the payment of refunds. Therefore, we modify the Prior Orders to exclude the requirement for the payment of refunds.

2. Accordingly, IT IS ORDERED, pursuant to Section 1.106 of the Commission's rules, 47 C.F.R. §1.106, that In the Matter of Post Newsweek Cable, Inc., DA 95-1071, 10 FCC Rcd 9839 (CSB 1995) and In the Matter of CableOne, Inc., DA 99-923, 14 FCC Rcd 7668 (CSB 1999) ARE MODIFIED TO THE EXTENT INDICATED HEREIN.

3. This action is taken pursuant to Sections 0.111 and 0.311 of the Commission's rules, 47 C.F.R. §§ 0.111 and 0.311.

FEDERAL COMMUNICATIONS COMMISSION

David H. Solomon
Chief, Enforcement Bureau

¹ Effective March 25, 2002, the Commission transferred responsibility for resolving cable programming services tier rate complaints from the former Cable Services Bureau to the Enforcement Bureau. *See Establishment of the Media Bureau, the Wireline Competition Bureau and the Consumer and Governmental Affairs Bureau, Reorganization of the International Bureau and Other Organizational Changes*, FCC 02-10, 17 FCC Rcd 4672 (2002).

² *In the Matter of Post Newsweek Cable, Inc.*, 10 FCC Rcd 9839 (CSB 1995).

³ *In the Matter of CableOne, Inc.*, 14 FCC Rcd 7668 (CSB 1999).

⁴ The term "Operator" includes Operator's successors and predecessors in interest.